

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

|                           |   |                            |
|---------------------------|---|----------------------------|
| UNITED STATES OF AMERICA, | ) | CASE NO. 1:20 CR 392       |
|                           | ) |                            |
| Plaintiff                 | ) | JUDGE SOLOMON OLIVER, JR.  |
|                           | ) |                            |
| v.                        | ) | ORDER ACCEPTING PLEA       |
|                           | ) | AGREEMENT, JUDGMENT AND    |
| KEVIN HAGEN,              | ) | REFERRAL TO U.S. PROBATION |
|                           | ) | <u>OFFICE</u>              |
| Defendant                 | ) |                            |

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Thomas M. Parker, regarding the change of plea hearing of Kevin Hagen, which was referred to the Magistrate Judge with the consent of the parties.

On April 29, 2021 the government filed a 19 count Superseding Indictment, charging Defendant Kevin Hagen in counts 1, 13 and 14 with, Conspiracy to Commit Securities Fraud, and Securities Fraud, respectively, in violation of Titles 18 U.S.C. § 371 and 15 § 78j(b), 78ff and 17 § 240.10b-5. On June 23, 2021, Magistrate Judge Parker held an arraignment, during which Mr. Hagen entered a plea of not guilty to the charges. On May 3, 2023 Magistrate Judge Parker received Defendant's plea of guilty to count 1 of the Superseding Indictment, with a written plea agreement, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Hagen

is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Kevin Hagen is adjudged guilty to count 1 of the Superseding Indictment, in violation of Title 18 U.S.C. § 371. This matter was referred to the U.S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be held on August 23, 2023 at 11:00 a.m. in Courtroom 19A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.  
UNITED STATES DISTRICT JUDGE

May 18, 2023